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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 VONTEAK ALEXANDER,
15 Defendant.

Case No. 2:17-cr-072-RFB

**STIPULATION TO CONTINUE
DEADLINE AND RESPONSE TO
MOTION TO SUPPRESS**
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,
17 Acting United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel
18 for the United States of America, and Rene L. Valladares, Federal Public Defender, and
19 Rachel Korenblat, Assistant Federal Public Defender, counsel for Vontek Alexander, that the
20 deadline to the Motion to Suppress currently due on Monday, December 11, 2017, and the
21 response to the Motion to Suppress currently due on Monday, December 18, 2017, both be
22 vacated and continued to a date and time convenient to the Court, but no sooner than eleven
23 (11) days.

24 This Stipulation is entered into for the following reasons:

- 25 1. Defense counsel will be traveling out of the District on December 11, 2017.
26

- 1 2. Counsel for the government will be in trial during the government's response
2 date.
3 2. The parties agree to the continuance.
4 3. Defendant is incarcerated and does not object to a continuance.
5 4. Additionally, denial of this request for continuance could result in a miscarriage
6 of justice.

7 This is the first request for continuance filed herein for the second motion to suppress.

8 DATED this 29th day of November, 2017.

9
10 RENE L. VALLADARES
11 Federal Public Defender

 STEVEN W. MYHRE
 Acting United States Attorney

12 By /s/ Rachel Korenblat
13 RACHEL KORENBLAT
14 Assistant Federal Public Defender

 By /s/ Elham Roohani
 ELHAM ROOHANI
 Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 VONTEAK ALEXANDER,

7 Defendant.

Case No. 2:17-cr-072-RFB

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

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9
10 **FINDINGS OF FACT**


11 Based on the pending Stipulation of counsel and good cause appearing therefore, the
12 Court finds that:

- 13 1. Defense counsel will be traveling out of the District on December 11, 2017.
- 14 2. Counsel for the government will be in trial during the government's response
- 15 date.
- 16 3. The parties agree to the continuance.
- 17 4. Defendant is incarcerated and does not object to a continuance.
- 18 5. Additionally, denial of this request for continuance could result in a miscarriage
- 19 of justice.
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The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

IT IS THEREFORE ORDERED that the deadline to the Motion to Suppress currently scheduled on December 11, 2017, be vacated and continued to December 22, 2017, and the response deadline to the Motion to Suppress currently scheduled on December 18, 2017, be vacated and continued to December 29, 2017.



 RICHARD F. BOULWARE, II
 UNITED STATES DISTRICT JUDGE